

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

MELISSA YATSKI, et al.)	CASE NO. 1:18-CV-00814
)	
)	
Plaintiffs,)	JUDGE DAN AARON POLSTER
)	
vs.)	
)	
)	
SERGEANT DEAN GRAZIOLLI, et al.)	<u>INITIAL DISCLOSURES ON BEHALF</u>
)	<u>OF DEFENDANT, SERGEANT DEAN</u>
Defendants.)	<u>GRAZIOLLI</u>
)	

INITIAL DISCLOSURES

Defendant, Dean Graziolli, hereby discloses the following in accordance with Local Rule 26 and the Court's Case Management Order, as his Initial Disclosures:

1. Individuals likely to have discoverable information and the subject of the information:

1. Employees of Corner Alley Bar, the exact names and address are not yet known. These persons may be individuals who have knowledge of the events on the evening/night of January 13, 2018.
2. The individual who was attacked and beaten by Michael Yatsko and otherwise was involved in an altercation with Michael Yatsko on January 13, 2018, the exact name of which is not currently known.
3. Various officers and personnel of the City of Cleveland who were first responders at the scene of the attack of Defendant Dean Graziolli by the deceased Michael Yatsko on January 13, 2018.

4. Medical care providers to Dean Graziolli, the exact names of which are unknown at this time. These individuals are likely to have information concerning the injuries sustained by Dean Graziolli. Their names are likely to be discoverable on relevant medical records of Dean Graziolli.
5. Medical care providers to Michael Yatsko, the exact names of which are unknown at this time. Their names are likely to be discoverable on relevant medical records of Michael Yatsko.
6. Witnesses and patrons of Corner Alley Bar who provided care or assistance to Dean Graziolli and Michael Yatsko and/or who otherwise witnessed some or all of the events on the night of January 13, 2018.
7. Unknown female, believed to be close friend of Michael Yatsko, who witnessed Michael Yatsko punch and hit Dean Graziolli and may have otherwise witnessed the altercation inside the restaurant and outside the restaurant between Michael Yatsko and the unknown victim.
8. Medical care providers to the victim attacked by Michael Yatsko, the names and addresses are unknown at this time.
9. Investigators and persons conducting the inquiry into the events of January 13, 2018 at or near the Corner Alley Bar the exact names and addresses of which are unknown but are believed to be persons associated with the City of Cleveland Police Department, Cuyahoga County Coroner, Cuyahoga County Sheriff, Cuyahoga County Prosecutors Office, and/or Franklin County Prosecutors Office.
10. Individuals, the exact names of which are unknown at this time, associated with the Ohio Bureau Worker's Compensation who may have information concerning the injuries of Dean Graziolli.
11. Plaintiffs Melissa Yatsko and Darian Allen and other family members of Michael Yatsko, the exact names of which are unknown to this Defendant but are disclosed by Plaintiffs in their disclosures and through discovery.
12. The 41 individuals identified by specific name by Plaintiffs in their initial disclosure (Doc # 28) the same of which are incorporated by reference as if fully restated herein at length.
13. The 10 individuals identified by specific name Defendant Corner Alley bar in its initial disclosure (Doc # 30) the same of which are incorporated by

reference as if fully restated herein at length.

14. The 33 individuals identified by specific name Defendant City of Cleveland in its initial disclosure (Doc # 32) the same of which are incorporated by reference as if fully restated herein at length.

15. All individuals disclosed by any other party in this action.

16. All individuals disclosed in any document provided by any party to this litigation during the course of this litigation, including parties.

(ii) **Description of documents and electronically stored information:**

Defendant Graziolli does not have in his possession at this time any specific document to provide as an initial disclosure which has not already been exchanged by one or more of the parties to this litigation. Nevertheless, Defendant believes the following description of documents and electronically stored information may be used by Defendant in this case:

1. Video- cctv security camera video from Corner Alley bar; video feed from any other surrounding cameras near Euclid Avenue;
2. City of Cleveland Police Department records and photographs of the investigation of the events of January 13, 2018 at Corner Alley Bar.
3. Medical records of Dean Graziolli, Michael Yatsko and unnamed victim.
4. Telephone records of deceased, witnesses, and unnamed victim.
5. Worker's Compensation records of Dean Graziolli.
6. Witness statements and/or police dispatch recording
6. Documents exchanged by the parties in this litigation

(iii) **Damages:**

N/A - at this time

(iv) **Insurance:**

Defendant Graziolli is reviewing if there is insurance which may be applicable for this event at this time and will supplement as appropriate. To date, Defendant Graziolli has notified his homeowners policy carrier (Safeco) for defense but no decision has been made as to whether such carrier will provide liability coverage.

Respectfully submitted,

/s/David M. Leneghan

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CERTIFICATE OF SERVICE

I hereby certify that on this 12th day of July, 2018, a copy of Defendant, Sergeant Dean Graziolli's, Initial Disclosures was electronically filed. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's electronic filing system.

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